

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

RECONSIDERATION OF PRIOR DECISION
ON:

Statutes 1975, Chapter 486 and Statutes 1984,
Chapter 1459

Filed on November 27, 1985

By County of Fresno, Claimant

Directed by Statutes 2005, Chapter 72 (Assem.
Bill No. 138, § 17, eff. July 19 2005).

Case No.: 05-RL-4204-02

Mandate Reimbursement Process

**NOTICE OF COMMENT PERIOD FOR
DRAFT STAFF ANALYSIS AND NEW
HEARING DATE**

HEARING DATE: April 26, 2006

TO: Interested Parties
Department of Finance
State Controller's Office
Legislative Analyst
Legislative Committees

Section 17 of Statutes 2005, chapter 72 (Assem. Bill No. 138) requires the Commission on State Mandates to "reconsider" its statement of decision on the Mandate Reimbursement Process test claim no later than June 30, 2006. The statute also specifies that any changes by the Commission to the original statement of decision shall be deemed effective on July 1, 2006.

Draft Staff Analysis and Comments

The draft staff analysis will be posted to the Commission's website by February 24, 2006:
<http://www.csm.ca.gov/reconsiderations/mandate.htm>

Interested parties, affected state agencies, and interested persons are invited to file comments with the Commission on the draft staff analysis by March 17, 2006.

An original and one copy, or an original and an Adobe Acrobat PDF file, shall be submitted to the Commission. PDF files should be e-mailed to: csminfo@csm.ca.gov. The comments will be posted on the Commission's website. This will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.2, subdivision (d).

Comments on the draft staff analysis must comply with the following requirements:

- Assertions or representations of fact must be supported by documentary evidence and must be authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so and must be based upon the declarant's personal knowledge or information or belief.
- If the comments cite to federal or state laws, regulations, executive orders, or court decisions, copies of those documents must be included in the filing. Court decisions that involve the Board of Control or the Commission on State Mandates are exempt from this requirement.

Commission Hearing

The Commission will hear and determine this reconsideration and may adopt the proposed revised statement of decision on **April 26, 2006**. The final staff analysis and proposed revised statement of decision on the reconsideration will be issued and posted to the Commission's website on or about April 12, 2006. If a decision is not adopted, the proposed revised statement of decision will be set for adoption at the May 25, 2006 hearing.

The hearing procedures in article 7 of the Commission's regulations in effect at the time of the hearing will apply to this reconsideration. Since this reconsideration was directed by statute and not requested pursuant to Government Code section 17559, subdivision (a), the hearing procedures in section 1188.4 do not apply in this case. (Cal. Code of Regs., tit. 2, § 1188.4, subd. (j), eff. Sept. 6, 2005.)

Representatives of interested parties, affected state agencies and the Legislature, and interested persons will be asked to notify the Commission staff if they wish to testify. Time limits may be imposed if necessary.

Parameters and Guidelines

The Commission, if necessary, shall revise its parameters and guidelines (CSM-4485) to be consistent with this reconsideration. Any party may develop a reasonable reimbursement methodology pursuant to Government Code section 17518.5 for inclusion in the parameters and guidelines. A prehearing conference may be scheduled if requested by any party. See sections 1183.04, 1183.13, and 1187.4 of the Commission's regulations.

If you have any questions regarding this matter, please contact Assistant Executive Director, Nancy Patton, at (916) 323-8217.

Dated: February 23, 2006

PAULA HIGASHI, Executive Director